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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

PORTLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF PORTLAND,

Defendant.

Case No. 3:12-cv-02265-SI

**NOVEMBER 2023 STATUS REPORT
OF THE ALBINA MINISTERIAL
ALLIANCE COALITION FOR
JUSTICE AND POLICE REFORM**

The Albina Ministerial Alliance Coalition for Justice and Police Reform (“AMA Coalition”) hereby submits its status report for the upcoming November 30, 2023 Status Conference and Fairness Hearing.

The AMA Coalition affirms the City’s incremental progress on many of the issues before the Court and in the Settlement Agreement. However, the AMA Coalition believes we are still a long way from producing a 21st Century Community Police force that offers public safety and trust to the most vulnerable citizens in the City of Portland. In crucial areas of the Settlement

Agreement, there is still a wide gap. The AMA Coalition's primary focus for this fairness hearing is on the Court Monitor aspect of the proposed changes while raising concerns about the impacts of additional changes.

1. The Court Monitor Should Have Strong Community Connections

The parties have been in confidential mediation sessions discussing the potential of a Court Monitor to oversee compliance with the Settlement Agreement. The AMA Coalition is thankful for the incorporation of some of its ideas and recommendations into the City's and DOJ's final proposed draft. The following are areas of outstanding concern regarding the Court Monitor:

A. The Court Monitor Should Be Adequately Resourced

The AMA Coalition is concerned that insufficient resources will be allocated to the Court Monitor to perform the required tasks.

B. The Court Monitor Should Be Local

The AMA Coalition is concerned that a Court Monitor located outside this region will be unable to become adequately familiar with over 10 years of history in this case as well as Portland police and community relations in a timely manner to perform this job.

C. The Court Monitor Should Be Accessible To Amicus And Stakeholders

As currently written, the amici in this case, and other long-term stakeholders, have insufficient access to communicating and working with the Court Monitor. The amici and stakeholders have invaluable information and guidance to provide that will improve the quality and success of the Court Monitor's work.

D. The Amici Should Be Able To Participate In Training The Court Monitor

The AMA Coalition believes it is critically important to allow the amicus in this case the

opportunity to actively engage in thoroughly training the Court Monitor. The expertise and unique positions of the amici are necessary to assist the Court Monitor in this role.

2. The Oversight System Needs Authority To Hold The Police Accountable

Recent and historical actions by the City have led the AMA Coalition to believe that the City has not done an adequate and efficient job holding itself accountable in police-related matters. The current proposal by the City and US DOJ removes approximately 40 paragraphs, six from Section VIII (the Accountability Section) and converts another 20 paragraphs to self-monitoring.

The Police Accountability Commission (“PAC”) proposed a comprehensive framework for the new oversight system, which the City significantly altered – without appropriate deference to and without conversation with the PAC. It was not until the City recently released its draft paragraph 195-related amendments to the Settlement Agreement regarding this new oversight system that the AMA Coalition realized the significance of the removal of those six Accountability-section paragraphs on the new oversight system. While the Court and public will be seeing the paragraph 195-related amendments at a future date, the AMA Coalition believes it worth noting today that many of the City’s changes to the PAC’s proposal will dilute and perpetuate mistrust in the community, especially the Black Community and Communities of Color.

The six Section VIII accountability-related paragraphs identified below are set to be removed because the City has been in compliance with them; they will thus be absent from the framework for the new accountability system. The AMA Coalition believes their absence will negatively impact the new system. Those paragraphs include:

- A. The ability to set the size of the CRC and require a diverse membership (§134);

- B. The CRC's ability to propose findings at appeal hearings if supported by the evidence. The City's proposed new system *removes* the ability to appeal findings, which would conflict with the Settlement Agreement in its current form (§135);
- C. Requiring a policy prohibiting retaliation for making a complaint (§130);
- D. Transparency: complaint progress is made available online (§138);
- E. Transparency: legally releasable information is sent to complainant (§139); and
- F. Transparency: outcome of the complaint is sent to the complainant (§140).

These aspects were present in the PAC's proposal for the oversight system yet are missing from the City's current proposal, which presents a significant concern to the AMA Coalition. The AMA Coalition will provide more analysis when the formal proposal for amendments about the oversight system come before the Court.

3. Conclusion

The AMA Coalition will continue to support transformative change within the Portland Police Bureau that will lead to safety of all community members and the building of community trust and the creation of a true community 21st Century Portland Police Bureau. We will continue to work and collaborate with all of the parties DOJ, City, PPA, MHA and community stakeholders to create a police force that is fair and just for all the Citizens of Portland.

DATED: November 28, 2023.

Respectfully submitted,

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